

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

THOMAS ASH,

Plaintiff,

Case No. 10-cv-11875

v.

Hon. John Corbett O'Meara

LIVINGSTON COUNTY, *et al.*,

Defendants.

ORDER OF PARTIAL DISMISSAL

Plaintiff Thomas Ash filed an amended complaint May 11, 2010, alleging seven causes of action: Count I, First Amendment retaliation in violation of 42 U.S.C. § 1983; Count II, municipal liability in violation of 42 U.S.C. § 1983; Count III, invasion of privacy; Count IV, breach of implied contract; Count V, tortious interference with business expectancies; Count VI, gender discrimination in violation of Michigan Elliott-Larsen Civil Rights Act; and Count VII, violation of fundamental right to privacy in violation of 42 U.S.C. § 1983.

Although Plaintiff's ERISA claims are cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations present claims based on state law. This court declines to exercise supplemental jurisdiction over Plaintiff's state law claims pursuant to 28 U.S.C. § 1367(c). See United Mine Workers v. Gibbs, 383 U.S. 715 (1966); Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

Accordingly, it is hereby **ORDERED** that Counts III, IV, V, and VI of Plaintiff's amended complaint are **DISMISSED**.

Date: August 17, 2010

s/John Corbett O'Meara
United States District Judge

I hereby certify that a copy of this order was served upon counsel of record on this date, August 17, 2010 using the ECF system.

s/William Barkholz
Case Manager